

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

MONROE FEDERAL SAVINGS AND LOAN ASSOCIATION	:	CASE NO. 3:12-cv-00052
Plaintiff,	:	JUDGE TIMOTHY BLACK
	:	
vs.	:	
	:	
NEA GALTIER PARKING, LLC, et al.	:	
Defendants.	:	

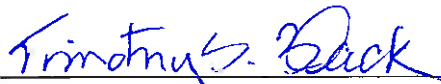
**AGREED ORDER VACATING COGNOVIT JUDGMENTS AND
ESTABLISHING PROPOSED SCHEDULE FOR AMENDED PLEADINGS**

This matter is before the Court on the Defendants' Motion to Vacate Judgment Entry on Cognovit Note ("Motion"). For the reasons set forth in the Motion and supporting affidavit, and based on the lack of any opposition to the Motion by Plaintiff, the Court finds that the Miami County Court of Common Pleas lacked subject matter jurisdiction to enter the Judgment Entry on Cognovit Note ("Judgment") and that the Judgment is void. Based on that finding and the agreement of the parties as reflected by the signature of their counsel below, it is hereby ORDERED that:

1. The Motion is granted.
2. The Judgment is void and is hereby vacated in its entirety.
3. Plaintiff shall file an amended complaint within 14 days from the date of entry of this order, which may be served on Defendants pursuant to Rule 5 of the Federal Rules of Civil Procedure by filing with the Court's ECF system. Defendants shall reply to the amended complaint within 14 days of service.

4. The Clerk shall remove Jamey T. Pregon from the ECF distribution list for this matter, who signed the cognovits answer and is not counsel to any party.

SO ORDERED.


JUDGE TIMOTHY S. BLACK

APPROVED:

s/ Gregory B. O'Connor
Michael P. McNamee (0043861)
Gregory B. O'Connor (0077901)
McNAMEE & McNAMEE, PLL
2625 Commons Blvd.
Beavercreek, Ohio 45431
Tel: (937) 427-1367
Fax: (937) 427-1369
Email: mike@mcnameelaw.com
Email: goconnor@mcnameelaw.com
Attorneys for Plaintiff

s/ Scott A. Kane
Scott A. Kane (0068839)
Elliot M. Smith (0078506)
SQUIRE SANDERS (US) LLP
221 E. Fourth Street, Suite 2900
Cincinnati, Ohio 45202
Phone: (513) 361-1200
Fax: (513) 361-1201
Email: scott.kane@squiresanders.com
Email: elliot.smith@squiresanders.com